

61-80-3

BK 6481P0083

NO TRANSFER  
TAX PAID

**QUITCLAIM DEED WITH COVENANT**  
Maine Statutory Short Form

**012120**

**OM Crystal River Associates, L.L.C.**, an Ohio limited liability company and **OM Minot Associates, L.L.C.**, an Ohio limited liability company, both with a place of business at 1765 Merriman Road, Akron, Ohio 44313, for consideration paid, grant to **HD Waterville Commons Associates, L.L.C.**, an Ohio limited liability company, whose mailing address is 1765 Merriman Road, Akron, Ohio 44313, with Quitclaim Covenant, the land in City of Waterville, County of Kennebec, and State of Maine, referenced in Subdivision Plat Waterville Commons, Route 104 a.k.a. Main Street, as recorded in Plat Book E2001, Page 035 dated 4/19/2001, Kennebec County, Maine, and described as follows:

**LEGAL DESCRIPTION**

Fully described on attached Exhibit "A".

In witness whereof, **OM Crystal River Associates, L.L.C.**, has caused this instrument to be signed by June Futia, Vice President of OM Crystal River Capital Corp., its Managing Member, and **OM Minot Associates, L.L.C.**, has caused this instrument to be signed by June Futia, Vice President of OM Minot Capital Corp., its Managing Member, hereunto duly authorized, this 1<sup>st</sup> day of May, 2001.

Witness:

Susan M. Levesque  
Patricia Parker

**OM Crystal River Associates, L.L.C.**  
By: **OM Crystal River Capital Corp.**  
Its: **Managing Member**

By: June Futia, Vice President  
June Futia, Vice President

Witness:

Susan M. Levesque  
Patricia Parker  
Atlantic Title (N)

**OM Minot Associates, L.L.C.**  
By: **OM Minot Capital Corp.**  
Its: **Managing Member**

By: June Futia, Vice President  
June Futia, Vice President

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State of Ohio )  
 ) ss:  
County of Summit )

May 1<sup>st</sup>, 2001



Then personally appeared the above-named June Futia, the Vice President of OM Crystal River Capital Corp., the Managing Member of OM Crystal River Associates, L.L.C., and acknowledged the foregoing instrument to be her free act and deed in her said capacity and the free act and deed of said limited liability company.

Before me, *My Commission Expires June 24, 2004*  
State of Ohio  
Yvonne Adkins, Notary Public

Yvonne Adkins  
Yvonne Adkins  
Notary Public

State of Ohio )  
 ) ss:  
County of Summit )

May 1<sup>st</sup>, 2001



Then personally appeared the above-named June Futia, the Vice President of OM Minot Capital Corp., the Managing Member of OM Minot Associates, L.L.C., and acknowledged the foregoing instrument to be her free act and deed in her said capacity and the free act and deed of said limited liability company.

Before me,  
Yvonne Adkins, Notary Public  
State of Ohio  
My Commission Expires June 24, 2004

Yvonne Adkins  
Yvonne Adkins  
Notary Public

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**"EXHIBIT A"**

**SUGGESTED LEGAL DESCRIPTION  
"HOME DEPOT" LEASE LOT**

The lot herein described is a portion of a parcel of land now or formerly of Foresite, Inc., as described in a deed recorded at the Kennebec County Registry of Deeds in Deed Book 1458 at Page 821 and a portion of a parcel of land now or formerly of Lafayette Waterville, Inc., as described in a deed recorded at the Kennebec County Registry of Deeds in Deed Book 4469 at Page 146. Said parcel being a portion of the City of Waterville Tax Assessor Map 61 as Lot 80 and Map 61 as Lot 50.

Commencing at a point depicted on a plan entitled "STANDARD BOUNDARY SURVEY - SHOWING TAX MAP LOTS - 61-40, 61-50, 61-60, 61-70, 61-80, 62-3 AND A PORTION OF 61-90 - IN WATERVILLE, MAINE - KENNEBEC COUNTY, prepared for Cedarwood Development, Inc., prepared by James W. Sewall Company, dated 21 July 1999, as the southeasterly corner of a parcel of land now or formerly of Foresite, Inc. Said parcel being depicted on the City of Waterville Tax Assessor Map 61 as Lot 80. Said point is marked by a rebar with a cap marked "1132", 0.9' above ground, thence;

N 51°-32'-23" W	A distance of one thousand one hundred fifty and 56/100 (1150.56') feet, to a point at the southeasterly corner of the herein described parcel. Said point being the Point of Beginning, thence;
N 85°-10'-19" W	A distance of eleven and 91/100 (11.91') feet, to a point, thence;
N 40°-01'-29" W	A distance of twenty five and 99/100 (25.99') feet, to a point, thence;
N 85°-09'-53" W	A distance of two hundred eighteen and 57/100 (218.57') feet to a point, thence;
N 25°-19'-23" W	A distance of forty six and 26/100 (46.26') feet, to a point, thence;
N 85°-09'-53" W	A distance of three hundred three and 86/100 (303.86') feet to a point, thence;

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N 04°-50'-07" E	A distance of five hundred seventy nine and 27/100 (579.27') feet to a point, thence;
N 08°-35'-18" E	A distance of one hundred sixty nine and 41/100 (169.41') feet to a point, thence;
S 85°-09'-53" E	A distance of two hundred ninety three and 58/100 (293.58') feet to a point, thence;
N 23°-52'-11" E	A distance of twenty five and 54/100 (25.54') feet to a point, thence;
S 85°-09'-53" E	A distance of two hundred forty six and 34/100 (246.34') feet to a point thence;
S 34°-38'-54" E	A distance of twenty five and 91/100 (25.91') feet to a point, thence;
N 62°-08'-55" E	A distance of twenty and 01/100 (20.01') feet to a point, thence;
S 04°-50'-06" W	A distance of two hundred eighty four and 57/100 (284.57') feet to a point, thence;
N 85°-09'-54" W	A distance of sixteen and 81/100 (16.81') feet to a point, thence;
S 04°-49'-41" W	A distance of five hundred thirty seven and 12/100 (537.12') feet, to the Point of Beginning.

The above-described parcel contains a total area of 10.37 acres, or 451,771 square feet more or less.

Please be advised that the metes and bounds used in the description above are from a Standard Boundary Survey by James W. Sewall Company. As such, Survey & Geodetic Consultants, Inc. takes no liability for any errors or omissions that may be associated with said plan.

Respectfully Submitted,  
Survey & Geodetic Consultants, Inc.

Suggested Legal Description  
Cedarwood Development, Inc.  
Waterville Commons

RECEIVED KENNEBEC SS.

2001 MAY 17 AM 9:56

ATTEST: *Loraine B. Mann*  
REGISTER OF DEEDS

April 25, 2001  
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